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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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2005 SEP 26 P 3:10

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
PERKINS MOUNTAIN UTILITY COMPANY FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. SW-20379A-05-0489

IN THE MATTER OF THE APPLICATION OF
PERKINS MOUNTAIN WATER COMPANY FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-20380A-05-0490

AMENDED PROCEDURAL ORDER

BY THE COMMISSION:

On July 7, 2005, Perkins Mountain Utility Company ("Perkins Utility") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide potable wastewater to a master-planned community in Mohave County, Arizona.

On July 7, 2005, Perkins Mountain Water Company ("Perkins Water") filed an application with the Commission for a Certificate to provide water to a master-planned community in Mohave County, Arizona.

On July 22, 2005, Perkins Utility and Perkins Water filed a Notice of Filing of Certificate of Good Standing in the above dockets.

On August 8, 2005, the Commission's Utilities Division ("Staff") filed Insufficiency Letters in the above dockets.

On August 25, 2005, Scott Fisher of Sports Entertainment filed a request that Perkins Utility include a portion of Sports Entertainment's parcel in the proposed Certificate area for docket SW-20379A-05-0489.

On August 30, 2005, Perkins Utility and Perkins Water filed responses in the above dockets.

On September 14, 2005, Perkins Utility and Perkins Water filed a Notice of Filing Amended

Legal Description for the above dockets.

On September 19, 2005, Staff filed its Sufficiency Letters indicating that Perkins Utility and Perkins Water applications have met the sufficiency requirements of A.A.C. R14-2-402C. Accordingly, the matter should be set for hearing.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the above-referenced dockets shall be consolidated for purposes of hearing.

IT IS FURTHER ORDERED that the **hearing** in the above-captioned matter shall be held on **December 5, 2005, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, 1200 W. Washington, Phoenix, Arizona.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before November 4, 2005.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed on or before November 18, 2005.

IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this matter, in the following form and style, with the heading in no less than 12 point bold type and the body in no less than 10 point regular type:

**PUBLIC NOTICE OF HEARING ON THE APPLICATIONS BY
PERKINS MOUNTAIN UTILITY COMPANY FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WASTEWATER AND PERKINS WATER COMPANY
FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WATER SERVICE
IN MOHAVE COUNTY, ARIZONA
DOCKET NOS. SW-20379A-05-0489 and W-20380A-05-0490**

On July 7, 2005, Perkins Mountain Utility Company ("Perkins Utility") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide wastewater, and Perkins Mountain Water Company ("Perkins Water") to provide water, to two master-planned communities in Mohave County, Arizona. Golden Valley South consists of 5,750 acres and is located approximately five miles southeast of Kingman, Arizona. The Villages at White Hills consists of approximately 2,727 acres and is located along U.S. Highway 93, approximately 29 miles south of Hoover Dam. If the Application is granted, Perkins Utility and Perkins Water would

1 be the exclusive provider of wastewater and water service to the proposed areas, and
2 would be required by the Commission to provide service under rates and charges and
terms and conditions established by the Commission.

3 The application is available for inspection during regular business hours at the
4 offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix,
Arizona or in Tucson at 400 West Congress Street, Suite 218, and at the Companies'
offices, [insert address].

5 The Commission will hold a **hearing** on this matter on **December 5, 2005 at**
6 **10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 W.
7 Washington Street, Phoenix, Arizona. Public comment will be taken on the first day
of the hearing.

8 The law provides for an open public hearing at which, under appropriate
9 circumstances, interested parties may intervene. Intervention shall be permitted to any
10 person entitled by law to intervene and having a direct and substantial interest in the
matter. Persons desiring to intervene must file a written notice to intervene with the
Commission, which motion should be sent to the Applicants or their counsel and to all
parties of record, and which, at the minimum, shall contain the following:

- 11 1. The name, address, and telephone number of the proposed intervenor
12 and of any party upon whom service of documents is to be made if
different than the intervenor.
- 13 2. A short statement of the proposed intervenor's interest in the
14 proceeding (e.g., a customer of the Applicants, a shareholder or
member of the Applicants, etc.)
- 15 3. A statement certifying that a copy of the motion to intervene has been
16 mailed to the Company or its counsel and to all parties of record in the
case.

17 The granting of motions to intervene shall be governed by A.A.C. R14-3-105,
18 except that all motions to intervene must be filed on or before November 4, 2005.
The granting of intervention, among other things, entitles a party to present sworn
19 evidence at hearing and to cross-examine other witnesses. Failure to intervene will
20 not preclude any customer from appearing at the hearing and making a statement on
the customer's own behalf. However, you will not receive any further notice of the
proceeding unless requested by you.

21 If you have any questions or concerns about this application or have any
22 objections to its approval, or wish to make a statement in support of it, you may write
the Consumer Services Section of the Commission at 1200 West Washington Street,
23 Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
comment.

24 The Commission does not discriminate on the basis of disability in admission to
25 its public meetings. Persons with a disability may request a reasonable accommodation
such as a sign language interpreter, as well as request this document in an alternative
26 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
3931, E-mail lhogan@azcc.gov. Requests should be made as early as possible to allow
27 time to arrange the accommodation.

1 IT IS FURTHER ORDERED that Applicants shall publish notice of the Application in a
2 newspaper of general circulation in the proposed extension area and shall mail to each property
3 owner in the requested extension area a copy of the above notice by October 11, 2005.

4 IT IS FURTHER ORDERED that the Applicants shall file certifications of publication and
5 mailing as soon as practicable after the publication and mailing has been completed but not later than
6 November 1, 2005.

7 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication and
8 mailing, notwithstanding the failure of an individual to read or receive the notice.

9 IT IS FURTHER ORDERED that Commission Staff shall file its Staff Report no later than
10 November 10, 2005.


11 IT IS FURTHER ORDERED that Intervenor testimony, if any, shall be filed no later than
12 November 10, 2005.

13 IT IS FURTHER ORDERED that responses by the Applicants, if any, to Staff's Report or
14 Intervenor testimony shall be filed no later than November 25, 2005.

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
16 Communications) applies to this proceeding as the matter is now set for public hearing.

17 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
18 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

19 DATED this 26 day of September, 2005

20
21 
22 AMY BJELLAND
23 ADMINISTRATIVE LAW JUDGE
24 ...
25 ...
26 ...
27 ...
28 ...

1 Copies of the foregoing mailed/delivered
2 this 26 day of September, 2005 to:

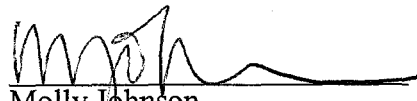
3 Deborah R. Scott
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8 Phoenix, AZ 85004

9 Christopher Kempley, Chief Counsel
10 Legal Division
11 ARIZONA CORPORATION COMMISSION
12 1200 West Washington Street
13 Phoenix, Arizona 85007

14 Ernest Johnson, Director
15 Utilities Division
16 ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19 ARIZONA REPORTING SERVICE, INC.
20 2627 N. Third Street, Suite Three
21 Phoenix, Arizona 85004-1104

22 By:

23 
24 Molly Johnson
25 Secretary to Amy Bjelland
26
27
28